Attorney's Docket No.: 00216-447001 / OB-166

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Phillip M. Braun et al.

Art Unit : 1744

Serial No.:

09/680,007

Examiner:

Filed Title

: October 5, 2000 **ORAL DEVICES**

BOX MISSING PARTS

Commissioner for Patents Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed December 13, 2000 (copy enclosed), applicant as a large entity submits herewith the following:

- X Check in payment of \$130 surcharge for filing the declaration on a date later than the filing date of the application; and
- \times Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 5, 2001

Reg. No. 33,431

Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110-2804

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20202151.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

-Signature

Sherry L. Hunt

Typed or Printed Name of Person Signing Certificate







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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/680,007

10/05/2000

Philip M. Braun

00216/447001

Robert C Nabinger Fish & Richardson PC 225 Franklin Street Boston, MA 02110-2804



Date Mailed: 12/13/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The oath or declaration is missing.
 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The balance due by applicant is \$ 130.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/09/2001 BHABTEU 00000025 09680007

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